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EXECUTIVE OFFICER

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

July 21, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

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EXECUTIVE OFFICER

Dear Supervisors:

RECOMMENDATION REGARDING ALLOCATION OF REWARD FUNDS RELATING TO THE MURDER OF ELEODORO NIETO (ALL DISTRICTS) (3-VOTES)

SUBJECT

Board approval is being requested for the distribution of reward funds in amount of \$10,000 to be paid from the Board's discretionary funds.

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the recommendation of the Reward Committee to distribute reward funds in total amount of \$10,000, to be paid from the Board's discretionary funds, to the individuals who provided information to law enforcement that led to the apprehension and conviction of Anthony Moreno, who was responsible for the fatal shooting of Eleodoro Nieto at the Rancho Mirage mobile home park located at 43850 20th Street East in the City of Lancaster on August 15, 2006, at approximately 1:00 p.m.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On September 5, 2006, on motion of Supervisor Antonovich, your Board offered a \$10,000 reward for information relating to the fatal shooting of 28-year-old Eleodoro Nieto on August 15, 2006 at approximately 1:00 p.m. at the Rancho Mirage mobile home park located at 43850 20th Street East, in Lancaster.

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To assist the Los Angeles County Sheriff's Homicide Bureau in seeking assistance from anyone who may have information related to the case your Board on November 28, 2006 and again on February 27, 2007 extended the reward offer. The filing period to submit a claim to the Executive Office for the reward money expired on August 1, 2007.

On March 31, 2009, the Board reestablished the reward for the purpose of allowing the individuals who provided the information that led to the suspect's conviction to file a claim for the reward. In accordance with provisions of the County Code, Title 4 – Revenue and Finance relating to rewards, your Board must now consider the claims and make a final determination for distribution of the reward funds.

A panel of individuals representing the Sheriff, Chief Executive Officer, County Counsel and the Executive Officer of the Board met and reviewed the claim filed for the reward funds. The panel is recommending that the reward funds in total amount of \$10,000 be awarded as follows: \$500 to Claimant Nos. 1 and 4, and \$4,500 to Claimant Nos. 2 and 3.

The chronological events in this case are as follows:

On August 15, 2006, Eleodoro Nieto was fatally shot and killed at approximately 1:00 p.m. in the Rancho Mirage mobile home park located at 43850 20th Street East in Lancaster.

On September 5, 2006, on motion of Supervisor Antonovich, the Board approved the establishment of a \$10,000 reward to encourage citizens to come forward and assist law enforcement in the investigation of the case.

On November 28, 2006 and February 27, 2007, the Board extended the reward offer in an effort to continue to encourage citizens to come forward with information and assist law enforcement in the ongoing investigation of the case. The filing deadline to file a claim with the Executive Office of the Board was August 1, 2007.

During the investigation of the case investigators interviewed and obtained pertinent information from the Claimants, which led to the positive identification and arrest of the suspect, Anthony Moreno, who was in custody on an unrelated matter.

On May 9, 2007, prior to the expiration of the August 1, 2007 claim filing period, the Executive Office of the Board was notified by Los Angeles County Sheriff's Department investigators that there were four individuals, who wish to remain anonymous, who assisted in the investigation and subsequent arrest of the suspect. The investigators were then provided with instructions on how and when the claims would need to be filed with the Executive Office of the Board.

However, due to an administrative oversight, the claims for the reward were not filed timely. Therefore, at the request of the Sheriff, on March 31, 2009, on motion of Supervisor Antonovich, your Board reestablished the \$10,000 reward fund to allow claims to be filed on behalf of the individuals.

On April 7, 2009, the Los Angeles County Sheriff's Department filed a claim on behalf of the Claimants with the Executive Office of the Board, due to the information provided by the Claimants

and evidence obtained.

On March 15, 2007, Mr. Moreno was arraigned and subsequently convicted on March 27, 2009 of murder [Penal Code Section 187(a)], the charges initially filed by the District Attorney. Mr. Moreno was sentenced to a term of 81 years, due to the information provided by the Claimants which lead to the arrest, as well as their testimony during the trial on March 27, 2009.

Implementation of Strategic Plan Goals

Approval of the above recommendation supports the County Strategic Goal of Service Excellence. Publication in local newspapers and posting of reward notices on the County website may encourage persons to provide information to law enforcement which could lead to the apprehension and/or conviction of the individuals who commit crimes, thereby improving the quality of life to residents of Los Angeles County by removing such individuals from the community.

FISCAL IMPACT/FINANCING

The Board of Supervisors established a \$10,000 reward fund. Pursuant to provisions in the County Code, the reward is to be paid from the Board of Supervisors' discretionary funds in equal shares of \$2,000 from each member's account.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1993, the Board of Supervisors adopted an amendment to the County Code establishing procedures for offering cash rewards for information leading to the apprehension and/or conviction of persons guilty of criminal acts. Your Board, from time to time has offered such rewards to encourage citizens to come forward and assist law enforcement with their investigations.

The action recommended is in compliance with the County Code, Title 4 - Revenue and Finance relating to rewards; and specifically Section 4.50.010B which states, "conviction of the person or persons responsible for the crime shall be required for payment of a reward unless the Board of Supervisors makes a finding of impossibility of conviction due to the death or incapacity of such person or persons."

The Notice of Reward Offered was posted on the Board of Supervisors' web site and published in The Antelope Valley Press Newspaper. In addition, copies were provided to the Los Angeles County Sheriff's Department.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

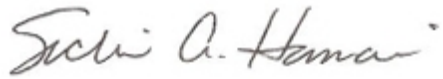
There is no impact on current County services.

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Respectfully submitted,

A handwritten signature in dark ink, reading "Sachi A. Hamai". The signature is written in a cursive, flowing style.

SACHI A. HAMAI

Executive Officer, Board of Supervisors

SAH:am

c: Sheriff
Chief Executive Officer
County Counsel
Auditor-Controller